

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LAMONT D. ROBINSON, #232275,

Petitioner,

v.

CASE NO. 2:13-CV-13145
HONORABLE JOHN CORBETT O'MEARA

LLOYD RAPELJE,

Respondent.

ORDER GRANTING MOTION TO SUPPLEMENT AND SETTING DEADLINES

Michigan prisoner Lamont D. Robinson ("Petitioner") has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. This matter is before the Court on Petitioner's motion to supplement his petition, dated January 24, 2014 and filed on January 30, 2014. Respondent filed a motion for summary judgment on timeliness grounds on February 3, 2014. Under the Federal Rules of Civil Procedure, a party may amend a pleading to which a response is required within 21 days after service of the responsive pleading. *See* Fed. R. Civ. P. 15(a)(1).¹ Since Petitioner filed his motion before the responsive pleading was filed, he has the right to amend the petition without the Court's permission. Accordingly, the Court **GRANTS** Petitioner's motion. The supplement has been filed and will be considered as part of the petition. Respondent shall file any answer to the supplement within **60 DAYS** of the filing date of this order. Petitioner shall then have **45 DAYS** to file any reply.

IT IS SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: February 6, 2014

¹Rule 15(a) applies to habeas cases as it applies to other civil cases. *See* 28 U.S.C. § 2242 (habeas petitions "may be amended or supplemented as provided in the rules of procedure applicable to civil actions").

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, February 6, 2014, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager